

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

LONDON-SIRE RECORDS INC., a Delaware corporation; ATLANTIC RECORDING CORPORATION, a Delaware corporation; BMG MUSIC, a New York general partnership; ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation; INTERSCOPE RECORDS, a California general partnership; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; CAPITOL RECORDS, INC., a Delaware corporation; VIRGIN RECORDS AMERICA, INC., a California corporation; and WARNER BROS. RECORDS INC., a Delaware corporation,

Plaintiffs,

v.

DOES 1-4,

Defendants.

CIVIL ACTION 04-12434 NG  
LEAD DOCKET NUMBER

**NOTICE OF DISMISSAL WITHOUT PREJUDICE OF DEFENDANT DOE 3 IN THE  
MATTER FORMERLY KNOWN AS *MOTOWN RECORD CO. V. DOES 1-6*, U.S.  
DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS, NO. 05-CV-11100**

Pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, Plaintiffs hereby give notice of the dismissal without prejudice of the claims asserted against Defendant Doe No. 3 in the matter known prior to the Court's June 1, 2005 consolidation order as Motown Record Company v. Does 1-6, U.S. District Court for the District of Massachusetts, No. 05-CV-11100, and who is associated in the Complaint in that matter with the following IP address:  
  
130.64.130.153 2005-04-30 04:07:09.

This notice of dismissal shall have no effect on claims asserted against any other defendants in this matter.

LONDON-SIRE RECORDS INC.; ATLANTIC  
RECORDING CORPORATION; BMG MUSIC;  
ELEKTRA ENTERTAINMENT GROUP INC;  
INTERSCOPE RECORDS; UMG RECORDINGS,  
INC.; SONY BMG MUSIC ENTERTAINMENT;  
ARISTA RECORDS LLC; CAPITOL RECORDS,  
INC; VIRGIN RECORDS AMERICA, INC; and  
WARNER BROS. RECORDS INC.,  
By their attorneys,

/s/ Jocelyn L. Heyman

Colin J. Zick (BBO No. 556538)

Gabriel M. Helmer (BBO No. 652640)

Jocelyn L. Heyman (BBO No. 660240)

FOLEY HOAG LLP

155 Seaport Boulevard

Boston, MA 02210-2600

Phone: (617) 832-1000

Fax: (617) 832-7000

Dated: September 21, 2005

Of Counsel:

Stacey E. Deere

SHOOK HARDY & BACON LLP

2555 Grand Blvd.

Kansas City, Missouri 64108

Phone: (816) 474-6550

Fax: (816) 421-5547